

REMARKS

Claim 6 has been objected to as the result of a typographical error. The appropriate correction has been made.

Claims 1, 5 and 7 have been rejected as unpatentable and obvious over DE 2251124 to US Elevator in view of U.S. Patent No. 5,957,251 to Jones et al. Claim 6 has been rejected as obvious and unpatentable over the combination of US Elevator and Jones in further view of U.S. Patent No. 4,807,728 to Syenaga et al. Claims 2, 3, and 4 have been objected to as being dependent upon a rejected base claim, but have been found to be otherwise of allowable scope.

Applicants respectfully traverse the rejection of claims 1, 5, 6 and 7 as follows:

The Examiner asserts that US Elevator discloses two brake blocks, one being made from carbon steel and the other defined, while Jones et al discloses that brakes have been made from cast iron rotors engaged by shoes of semi-metallic or non-asbestos organic materials. The Examiner thus asserts that it would be obvious to one of ordinary skill in the art to supply the US Elevator reference with brake blocks of different materials based upon the use of dissimilar materials or materials of unique hardness such as mating surfaces, as suggested by Jones et al, the Examiner contending that a brake rotor and shoe are analogous to the brake block [sic] of the present invention.

Contrary to the Examiner's position, Jones et al '251 does not teach or suggest the use of different materials as brake elements as disclosed in the present invention. It is conventional brake technology that the brake element surface, such as a brake pad, contacts a moving member of a different material for braking. As used in the Jones et al reference, the braking component has a friction material surface and contacts an "opposing component moving relative to the braking component". Jones et al merely discloses that the braking component may be a ceramic-metal composite. While such a metal-ceramic composite is different in composition from the moving member, such as a rotor, with which it engages, Jones et al is silent as to what the composition of an opposing or second brake element should be. The brake rotor of Jones et al is not analogous to the (second) brake block of the present invention. Rather, it is analogous to the rope – i.e. the moving element that the brake is to stop. Such a moving element is conventionally of a material different from the brake element which applies the stopping force, and the present application does not claim that difference as being inventive. Jones et al, at column 6, lines 19-25 states that a brake of the invention has at least one braking component, and that each of the braking components has a friction material that is preferably of the same material. There is certainly no suggestion in Jones et al that the brake components or elements, as opposed to a brake element and a moving element, be composed of braking materials having substantially different frictional properties as contemplated by the present invention.

The US Elevator reference does not use a pair of brake blocks. Element 62 is made of a "hard material of a relatively low frictional (wear resistance)" and thus does not serve as a braking or friction-causing member. It is not a brake block but rather a guiding element, neither designed nor intended to apply a braking force to the cable. US Elevator states, at p.14, that the braking

effect is mainly generated by the brake block 66. The “brake block” 62 is also described as follows, at page 7, section 2: “The movement of the rope as well as the movement of the brake block is guided by a guiding member. The guiding member consists of a hard friction material having a relatively low friction coefficient and a groove of sufficient depth, into which the rope is being pressed, when it is pressed into the groove by the effect of the brake block which is pretensioned by means of the tension spring.” Thus, although US Elevator may call element 62 a “brake block”, it is clear that it is not a friction-generating brake element as are the two brake blocks of the present invention. At page 12, lines 7-8, US Elevator says “a spring 56 presses a brake block 66 through a U-shaped guiding block 62 against the moving rope 14. At page 12-13 it also goes on to state that a large contact surface with the rope 14 and thus a strong reaction due to the contact with the rope is guaranteed by means of a concave groove 110 in the brake block 66 and by means of an opposite groove 112 in the surface of the guiding block which is in contact with the rope.

There is neither teaching nor suggestion in the US Elevator reference that a pair of active brake blocks should be utilized, each with different frictional characteristics, each intended to provide a braking function.

It is only with the improper hindsight developed by consideration of the present invention that one would be led to redesign the construction of US Elevator to include a pair of active blocks, each serving as a frictional element, for braking purposes. Neither US Elevator nor Jones et al provides any direction or suggestion in that regard.

Accordingly, withdrawal of the rejections and passage to allowance is solicited.

Respectfully submitted,

SCHWEITZER CORNMAN GROSS & BONDELL LLP

Customer No. 022831

Attorneys For Applicant

292 Madison Avenue – 19th Floor

New York, NY 10017

Telephone (646) 424-0770

Facsimile (646) 424-0880

BY

JAB/cw


JAY A. BONDELL, ESQ., REG. #28,188

CERTIFICATE UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is
being deposited with the U.S. Postal Service
as first class mail in an envelope addressed
to: Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450 on February 10, 2006.

Carol L. Wood

